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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Level 12 Productions LLC,

10 Plaintiff,

11 v.

12 Charles Kirk,

13 Defendant.
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No. CV-25-00005-PHX-ROS

ORDER

15 This matter having recently come before this Court,

16 **IT IS ORDERED** preliminary motions aimed at the pleadings are discouraged if
17 the defect can be cured by filing an amended pleading. The parties must meet and confer
18 prior to the filing of such a motion to determine whether it can be avoided. Thus,
19 motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and motions for judgment on the
20 pleadings pursuant to Fed. R. Civ. P. 12(c) must contain a certification of conferral
21 indicating the parties have conferred to determine whether an amendment could cure the
22 deficient pleading but have been unable to agree the pleading is curable by a permissible
23 amendment. In addition, parties shall endeavor not to oppose motions to amend that are
24 filed prior to the Scheduling Conference or within the time set forth in the Rule 16 Case
25 Management Order. Motions to dismiss and motions for judgment on the pleadings that
26 do not contain the required certification are subject to be stricken on the Court's motion.

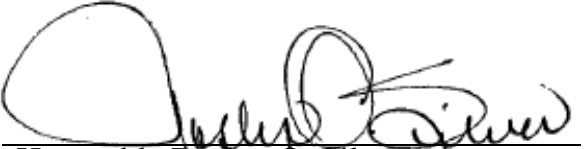
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1 **IT IS ORDERED** Plaintiff shall serve a copy of this Order upon Defendants and
2 file notice of service.

3 Dated this 3rd day of January, 2025.

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Honorable Roslyn O. Silver
Senior United States District Judge